

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID NESTE, as Trustee of the Datalink : CIVIL ACTION
Electronics, Inc. Health & Welfare Benefit :
Plan :

v. :

GENERAL AMERICAN LIFE :
INSURANCE COMPANY, et al. :

NO. 09-4581

FILED

OCT 25 2011

MICHAEL KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 25th day of October, 2011, upon careful and independent consideration of the Motion to Dismiss and accompanying brief filed by Farmers & Merchants Trust Company of Chambersburg, Successor by Merger to Named Defendant Community Trust Company (Docs. 43 and 44), and after review of Judge Hey's Report and Recommendation, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The Motion to Dismiss Farmers & Merchants Trust Company of Chambersburg is GRANTED.

BY THE COURT:


MARY A. MCLAUGHLIN, J.